

REMARKS

This application has been reviewed in light of the Non-Final Office Action dated October 27, 2009. Claims 33-39 and 44-56 are now pending, with Claims 33 and 44 in independent form. Claims 33 and 44 have been amended to require adding pre-stored images to at least some of the individual members of a set of image sequences captured by a camera operator, wherein the pre-stored images are stored before the camera operator captures the individual members. Claims 51-56 have been added to provide Applicants with a more complete scope of protection. Support for the amendments and newly added claims herein can be found in the specification at least at page 9, line 29 to page 10, line 11; page 10, line 26 to page 11, line 22; and page 15, lines 7-20. (It should be noted, however, that the claims are not limited to the details of these embodiments, which are referred to for purposes of illustration only.) Favorable reconsideration is respectfully requested.

Claims 33-39 and 44-50 have been rejected under 35 U.S.C § 102(e) as allegedly anticipated by U.S. Patent Application Publication No. 2004/0095474 (Matsufune). Applicants respectfully submit that the claims are patentable over Matsufune for at least the following reasons.

Independent Claim 33 requires a method for forming a presentation including a set of image sequences captured using a camera. The method includes obtaining programmed instructions for capturing members of the set of image sequences. The method also includes assembling an electronic storyboard, according to the programmed instructions, including a plan for the arrangement of the members of the set of image sequences made at least in part before their capture. The method additionally includes prompting a camera operator of the camera to have the camera operator use the camera to capture individual members of the set of said image sequences by displaying operator instructions to the camera operator. Also, the method includes storing the set of said image sequences in a data storage device, and assembling the presentation using the set of the image sequences, including the individual members captured by the camera operator, according to the electronic storyboard. Further, the method includes recording the presentation to a data storage device. The assembling includes adding pre-stored images to at least some of the individual members captured by the camera operator, and the pre-stored images are stored before the camera operator captures the individual members.

A notable feature of Claim 1 is that the assembling includes adding pre-stored images to at least some of the individual members captured by the camera operator, and the pre-stored images are stored before the camera operator captures the individual members. FIG. 6 and its accompanying description discuss text graphics (e.g., Great Gift”) added to images captured by a camera operator, FIG. 10 and its accompanying description discuss compositing (e.g., replacing a background image 82 with a stored background image 84 behind subjects 86 in an image captured by a camera operator), and FIG. 15 and its accompanying description discuss adding thought bubbles to images captured by a camera operator. (It should be noted, however, that the claims are not limited to the details of these embodiments, which are referred to for purposes of illustration only.)

Matsufune, on the other hand, is understood to teach forming a video template including scenes (FIG. 4). Some of the scenes include fixed content (e.g., scenes 1, 3, and 5 in FIG. 4), and some of the scenes are shot by a camera operator (“shooting scenes”) (e.g., scenes 2 and 4 in FIG. 4). See paragraphs [0154]-[0162]. Before the shooting scenes are shot, an image of shooting instructions is temporarily stored as each of the shooting scenes (see FIG. 7 for scene 2 and FIG. 8 for scene 4; see also FIG. 16). Once the shooting scenes are shot by a camera operator, the images of shooting instructions are replaced by the content actually shot by the camera operator for those scenes (e.g., see FIGS. 23-24).

However, Matsufune is not understood to teach or suggest adding pre-stored images to at least some of the shooting scenes (e.g., scenes 2 and 4) captured by the camera operator, within the context of Claim 33. For at least this reason, Applicants respectfully submit that Claim 33 is patentable over Matsufune.

Independent Claim 44 includes the same or similar features as those discussed above in connection with Claim 33 and, therefore, is submitted to be patentable for at least the same reasons.

The other claims in this application depend from one of the independent claims discussed above and, therefore, also are submitted to be patentable for at least the same reasons. Since each dependent claim is deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested. For example, newly added Claims 51-56 are directed to adding text graphics to an image sequence captured by a camera operator and replacing backgrounds of an image sequence

captured by a camera operator with a pre-stored background image. These features also are not believed to be taught or suggested by Matsufune and, therefore, these claims are submitted to be additionally patentable in their own right.

While not all distinguishing features of the claims from the cited rejecting reference are discussed herein in order to expedite prosecution, such shall not be construed as an admission that particular features described herein are indeed taught or suggested by the prior art.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and the allowance of the present application.

Should the Examiner have any issues concerning this reply or any other outstanding issues remaining in this application, the favor of a telephone call to Applicants' undersigned attorney is respectfully requested in order to expedite prosecution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Raymond L. Owens', written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.